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KLARQUIST SPARKMAN, LLP
121 SW SALMON STREET
SUITE 1600
PORTLAND, OR 97204

In re application of	:	
Robert A. Moss	:	
Application No. 10/722,173	:	DECISION ON REQUEST
Filed: November 24, 2003	:	FOR WITHDRAWAL OF
For: HYBRID AIRGUN	:	ATTORNEY

This is a decision on the request filed on May 3, 2005 under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

The request is **DISMISSED** as MOOT.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. Besides giving due notice to his or her client and delivering to the client all papers and property to which the client is entitled as specified under 37 CFR 10.40, approval of such a request requires that the following conditions be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided; and
- C) If withdrawal is requested in accordance with 37 CFR 10.40(c) above, there must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a).

The request to withdraw as attorney in this application is dismissed as moot because a revocation of power of attorney to David S. Alavi and a new power of attorney to the attorneys of Klarquist Sparkman LLP was submitted to the United States Patent and Trademark Office on May 6, 2005. The power of attorney therefore has already been withdrawn as per the Notice to that effect mailed May 13, 2005.



Steven N. Meyers
Special Programs Examiner
Patent Technology Center 3600
(703) 308-3868

SNM/dew: 5/23/05

cc: David S. Alavi
3762 West 11th Avenue #408
Eugene, OR 97402